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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SHANE ROSS,

10 Plaintiff,

11 Case No. C14-1517-JCC

12 v.

13 RYAN JOHNSON, et al.,

14 Defendant.

15 **REPORT AND**
16 **RECOMMENDATION**

17 Defendants, proceeding *pro se*, filed a Notice of Removal of an action originating in King
18 County Superior Court, accompanied by an application to proceed *in forma pauperis* (“IFP”).
19 On October 2, 2014, the Court denied defendants leave to proceed IFP and ordered them to pay
20 the court filing fee by November 3, 2014. Dkt. 3. The Court advised defendants that if no filing
21 fee was paid, the Court would recommend the case be closed. *Id.* As of the date of this Report
22 and Recommendation, defendants have neither paid the filing fee, nor offered any excuse for
23 their failure to do so. Accordingly, the Court recommends the case be **DISMISSED** for failure
 to pay the filing fee pursuant to 28 U.S.C. § 1914, and **REMANDED** to King County Superior
 Court. In the alternative, if this Report and Recommendation is not adopted, the Court
 recommends the complaint be reviewed under 28 U.S.C. § 1915(e)(2)(B) before issuance of
 summons.

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2 **OBJECTIONS AND APPEAL**
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4 This Report and Recommendation is not an appealable order. Therefore a notice of
5 appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
6 assigned District Judge enters a judgment in the case.
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8 Objections, however, may be filed and served upon all parties no later than **November**
9 **19, 2014.** The Clerk should note the matter for **November 20, 2014**, as ready for the District
10 Judge's consideration if no objection is filed. If objections are filed, any response is due within
11 14 days after being served with the objections. A party filing an objection must note the matter
12 for the Court's consideration 14 days from the date the objection is filed and served. The matter
13 will then be ready for the Court's consideration on the date the response is due. Objections and
14 responses shall not exceed eight (8) pages. The failure to timely object may affect the right to
15 appeal.
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17 DATED this 5th day of November, 2014.
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22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge
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